

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6220
BILL NUMBER: SB 121

NOTE PREPARED: Dec 16, 2008
BILL AMENDED:

SUBJECT: Automated Record Keeping Fee.

FIRST AUTHOR: Sen. Bray
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that in all civil, criminal, infraction, and ordinance violation actions, the clerk of the court shall collect an automated record keeping fee in the following amounts: (1) \$7 before July 1, 2009. (2) \$10 after June 30, 2009, and before July 1, 2013. (3) \$7 after June 30, 2013.

(The introduced version of this bill was prepared by the Commission on Courts.)

Effective Date: July 1, 2009.

Explanation of State Expenditures:

Explanation of State Revenues: The new revenue shown in the table below would be deposited into the State User Fee Fund between 2010 and 2014. This added revenue would be transferred to the Judicial Technology and Automation Project Fund.

New Revenue in \$Millions Deposited into State User Fee Fund					
	2010	2011	2012	2013	2014
Fee under Current Law	\$7.00	\$7.00	\$4.00	\$4.00	\$4.00
Proposed Fee	\$10.00	\$10.00	\$10.00	\$10.00	\$7.00
New Revenue (in \$M)*	\$2.91	\$2.91	\$5.82	\$5.82	\$2.91
* Each \$1 change equals \$970,572 (see table below)					

The estimated revenue per dollar (\$970,572) is based on the reported revenue collected from the automated record keeping fee that is published in the *Indiana Judicial Reports*.

Automated Record Keeping Fee Revenue Reported by Calendar Year						
	2002	2003	2004	2005	2006	2007
Fee Level	\$2.00	\$5.00	\$7.00	\$7.00	\$7.00	\$7.00
Total Revenue Reported	\$2,623,680	\$4,904,700	\$5,856,024	\$6,363,960	\$5,571,355	\$6,923,223
Average Revenue Per Dollar	\$1,311,840	\$980,940	\$836,575	\$909,137	\$795,908	\$989,032
Average Revenue Per Dollar Between 2002 and 2007 = \$970,572						
Source: <i>Indiana Judicial Reports</i> , 2002 through 2007						

Background – Language originally creating the Automated Record Keeping Fee also created the Judicial Technology Automation Project Fund. (HEA 1130 – 2001).

The revenue generated from the Automated Record Keeping Fee is deposited in the State User Fee Fund along with revenue from six other fees. On June 30th and December 31st of each year, \$1,288,000 is deposited into eight funds. Any remaining balance is deposited into the Judicial Technology Automation Project Fund.

The Auditor of State reports the history of revenue deposited into the State User Fee Fund. The revenue deposited into the State User Fee Fund and the amount of revenue that the Judicial Technology and Automated Project Fund received as part of the formula under IC 33-37-9-4 is shown in the table.

FY	Automated Record Keeping Fee	State User Fee Fund Deposits	Amount Deposited into 8 Funds	Balance Remaining for Judicial Technology and Automated Project Fund
2004	\$7.00	\$9,219,382	\$2,576,000	\$6,643,382
2005	\$7.00	\$9,814,346	\$2,576,000	\$7,238,346
2006	\$7.00	\$9,498,948	\$2,576,000	\$6,922,948
2007	\$7.00	\$9,280,884	\$2,576,000	\$6,704,884
2008	\$7.00	\$9,705,837	\$2,576,000	\$7,129,837

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Division of State Court Administration.

Local Agencies Affected: Trial courts, city and town courts, Marion County Township Small Claims Courts, clerks of circuit courts and city and town courts.

Information Sources: Auditor of the State, Indiana Code; *Indiana Judicial Reports*, 2002 through 2007.

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